

No. 9/8/86-6Lab./7662.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Vividh Poly Pakaging, 14/7, Mathura Road, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 172 of 1986

between

SHRI NAMO NATH, WORKMAN AND THE RESPONDENT MANAGEMENT OF
M/S VIVIDH POLY PAKAGING, 14/7, MATHURA ROAD, FARIDABAD

Present :

None for the parties.

AWARD

This reference under section 10(i) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/19120-24, dated 4th June, 1986, to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Namo Nath, workman and the respondent management of M/s Vividh Poly Pakaging, 14/7, Mathura Road, Faridabad. Accordingly, it has been registered as reference No. 172 of 1986.

2. Nobody has appeared on behalf of the workman despite of service through UPC. The case was called several times. It seems that the workman is not interested to pursue the reference. Hence the reference received, is dismissed in default.

Dated the 29th August, 1986.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 2111, dated 2nd September, 1986

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./7663—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Meta Fab Engineers, Opp. Escort Transmission, Mujessar, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 163 of 1986

between

SHRI MOHAR SINGH S/O SHRI ROSHAN LAL, H. NO. 2835, JAWHAR COLONY,
FARIDABAD AND THE RESPONDENT-MANAGEMENT OF M/S META FAB ENGINEERS,
OPP. ESCORT TRANSMISSION, MUJESSAR, FARIDABAD

Present :

Shri Amar Singh Sharma for the workman,
None for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. I/FD/21099, dated 20th June, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Mohar Singh workman and the respondent-management of M/s. Meta Fab Engineers, Opp. Escort Transmission, Mujessar, Faridabad. Accordingly, it has been registered as reference No. 163 of 1986.

2. The respondent was summoned by way of post under UPG for 12th July, 1986 but nobody had appeared on that day and as such was proceeded *ex-parte*. The petitioner was also summoned by the same manner and he had appeared and filed claim statement.

3. In support of the claim, petitioner Shri Mohar Singh has appeared. He has produced inland letters Ex. W-1 to W-2 and Post Card Ex. W-3 also addressed to him at the address of the respondent factory. It supports his claim to the effect that he was working with effect from 1st January, 1984 and his services were terminated with effect from 23rd December, 1985. On the face of it this appears to be not in conformity of section 25-F of the said Act. The reference is accordingly answered in favour of the petitioner and against the respondent in an *ex-parte* manner. Petitioner is entitled to be reinstated with full back wages and continuity of service.

Dated 28th August, 1986.

A. S. CHALIA,

Presiding Officer,
Labour Court,
Faridabad,

Endstt. No. 2099, dated the 1st September, 1986

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employments Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,

Presiding Officer,
Labour Court,
Faridabad.

No. 9/8/86-6Lab./7664.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. (i) Singh Sons Ancillary, Plot No. 17, Link Road, Faridabad, (ii) M/s. C. L. Interprises, Plot No. 17, Link Road, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 86 of 1986

between

SHRI LALAN PARSHAD, C/O MERCANTILE EMPLOYEES ASSOCIATION, H-347, NEW
RAJINDER NAGAR, NEW DELHI, WORKMAN AND THE RESPONDENT-
MANAGEMENT OF M/S. SINGH SONS ANCILARY, PLOT NO. 17, LINK
ROAD, FARIDABAD. (ii) M/S. C. L. INTERPRISES, PLOT NO. 17, LINK
ROAD, FARIDABAD

Present:

Shri R. N. Roy, for the Workman.

None for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/8830—35, dated 7th March, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Lalan Parshad workman and respondent-management of M/s Singh Sons Ancillary, Plot No. 17, Link Road, Faridabad, (ii) M/s. C. L. Interprises, Plot No. 17, Link Road, Faridabad. Accordingly, it has been registered as reference No. 86 of 1986.

2. On notice the respondent had appeared on 8th May, 1986 and written statement had to be filed on 28th May, 1986 but on that date nobody on their behalf appeared and they were proceeded *ex parte*.

3. In support of the claim the petitioner has appeared. It has been stated by him that he was employed on 22nd November, 1979 and his services were terminated on 1st September, 1986. It appears in violation of section 21-F of Industrial Disputes Act, 1947. Hence he is reinstated with full back wages and continuity of service.

The award is given accordingly.

Dated the 28th August, 1986.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 2120, dated the 2nd September, 1986

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/86-6Lab./7665.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of (i) State Transport Controller, Haryana, Chandigarh, (ii) General Manager, Haryana Roadways, Body Building Workshop, Rewari.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 64 of 1986
between

SHRI RAM KUMAR, C/O SHRI P. R. YADAV, ADVOCATE, GURGAON, AND THE
RESPONDENT-MANAGEMENT OF (i) THE STATE TRANSPORT CONTROLLER,
HARYANA, CHANDIGARH, (ii) GENERAL MANAGER, HARYANA ROADWAYS,
BODY BUILDING WORKSHOP, REWARI

Present :

Shri P. R. Yadav, for the workman.

Shri R. S. Yadav, for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID FD/Gurgaon/25-85/557—63, dated 3rd January, 1986, to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Ram Kumar, workman and the respondent-management of (i) The State Transport Controller, Haryana, Chandigarh, (ii) General Manager, Haryana Roadways, Body Building Workshop, Rewari. Accordingly, it has been registered as reference No. 64 of 1986.

2. The claim of the petitioner is that on 24th April, 1984 he was appointed by the respondent as a helper and on 2nd January, 1985 his services were illegally and arbitrarily terminated.

3. On notice, respondent has appeared. It has been claimed that the petitioner was employed purely on temporary basis and he had not completed 240 days and as such his services were no longer required after 31st December, 1984.

4. On the pleadings of the parties, my learned predecessor had framed the following issue on 2nd May, 1986:—

1. As per reference ?

5. In support of the claim, petitioner has appeared and deposed on oath. On the other hand clerk of respondent has also been examined. I have heard both the parties as represented above. The finding is as below :—

Issue No. 1:—

The moot point to be determined is as to for how many days the petitioner had worked. It has been claimed by him that he was appointed on 24th April, 1984 as a helper and it has been admitted as correct by the respondent in its written statement. According to the statement of clerk of the respondent, the petitioner was appointed on 24th April, 1984 and his services were discontinued with effect from 31st December, 1984 and he had worked more than 240 days. On the basis of data supplied by both the parties, it is quite clear that this petitioner had worked for more than 240 days and as such he was in continuous service as defined under Section 25-B of the said Act. It is not disputed that his services were dispensed without any notice and payment of any compensation and if it is so, then Section 25-F of the said Act is attracted. The respondent had not complied with the same and it is he who is to be held responsible for the same. On the fact of it the termination order was null and void and *ab-initio*, bad and against the requirements of Section 25-F of the said Act and as such the same stands revoked. In consequence, the petitioner stands reinstated with full back wages and further with continuity of service.

The reference is accordingly answered in favour of the petitioner and against the respondent.

Dated the 1st August, 1986.

A. S. CHALIA,
Presiding Officer,
Labour Court,
Faridabad.

Endst. No. 2121, dated the 2nd September, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court,
Faridabad.

No. 9/8/86-6Lab./7666.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Super Steels, Sector 6, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 22 of 1986

between

SHRI RAM ASRAY, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S. SUPER STEELS, SECTOR 6, FARIDABAD

Present :

Shri S. C. Shrivastava, for the workman.

Shri R. C. Sharma, for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred to as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No.ID/FD/126-85/51027-31, dated, 18th December, 1986 to adjudicate upon the dispute of service matter covered by Second Schedule under Section 7 of the said Act, arisen between Shri Ram Asray, workman and the respondent-management of M/s. Super Steels, Sector 6, Faridabad. Accordingly, it has been registered as reference No. 22 of 1986.

2. Today the case was fixed for evidence of the management, but the parties have compromised into the matter and to that effect statements have also been recorded. The petitioner has accepted the amount of Rs. 4523.38 P. towards full and final payment of his claim. He would not be entitled to be reinstated/re-employed with the respondent.

The reference is accordingly disposed of.

Dated the 7th August, 1986.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 2118, dated the 2nd September, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./7910.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Dharam Trading Co., E-180, Dabua Colony, Faridabad.

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 751 of 1985

between

SHRIMATI RAM VATI, WORKMAN C/O AITUC OFFICE, N.H.I., NIT, FARIDABAD
AND THE RESPONDENT-MANAGEMENT OF M/S. DHARAM TRADING CO.,
E-180, DABUA COLONY, FARIDABAD

Present :

Workman with Shri Darshan Singh.

None for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947), as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred to as the said Act) was made to this Court by the State of Haryana (Department of Labour),—vide its endorsement No. ID/FD/214-85, dated 21st December, 1985 to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shrimati Ram Vati, workman and the respondent-management of M/s. Dharam Trading Co., E-180, Dabua Colony, Faridabad. Accordingly, it has been registered as reference No. 751 of 1985.

2. The claim of Smt. Ram Vati is that she was appointed by the respondent in January, 1983 and her services were illegally terminated on 4th May, 1985. Accordingly request has been made to reinstate her with full back wages and without any break.

3. The respondent was duly summoned and written statement was filed contesting the claim. The rejoinder was filed by her. Material issues were framed by my learned predecessor,—vide his order dated 26th February, 1986.

4. On 30th April, 1986, the respondent had come forward to take her back in job but without full back wages and the case was fixed for 10th July, 1986, but on that day nobody on behalf of the respondent had appeared and as such *ex parte* proceedings were started. Now petitioner has stated on oath that she was employed by the respondent in 1983 and her services were terminated

on 4th May, 1985 without any notice and payment of compensation. On the basis of her statement it is to be gathered that she had worked for more than 240 days with the respondent and as such entitled for continuous service benefit as defined under section 25-B of the said Act. There is no record to infer that any notice was issued to her and compensation was paid and on the face of it, termination is in violation of section 25-F of the said Act. The order of termination appears to be bad and against the mandatory provisions of law and as such the same is hereby revoked and she is reinstated into her job without any break and further with full back wages, in an *ex parte* manner.

Dated the 1st September, 1986.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 2289, dated 18th September, 1986

Forwarded (four copies) to the Commissioner & Secretary to Government, Haryana, Labour & Employment Department, Chandigarh, as required under section 15 of I.D. Act.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6 Lab./7911.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Avon Services (Production and Agencies) Pvt. Ltd., Pali Road, Ballabgarh :—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 685 of 1985

between

SHRI IBRAHIM, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S AVON
SERVICES (PRODUCTION AND AGENCIES) PVT. LTD., PALI ROAD, BALLABGARH

Present :

Shri Lal Chand. for the workman.

Shri H. R. Dua, for the respondent-management.

AWARD

This reference under section 10(i)(c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred to as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its Endorsement No. ID/FD/45-85/43664—69, dated 24th October, 1985, to adjudicate upon the dispute of service matter covered by Second Schedule under section 7 of the said Act, arisen between Shri Ibrahim, workman and the respondent-management of M/s Avon Services (Production and Agencies) Pvt. Ltd., Pali Road, Ballabgarh. Accordingly, it has been registered as reference No. 685 of 1985.

2. On behalf of the respondent settlement, dated 13th August, 1986 coupled with affidavit of Shri Ibrahim and attested copy of cash voucher has produced claiming that the matter has since been fully and finally settled with the petitioner. To this effect statement has been made on behalf of the respondent and that has been accepted as correct by Shri Lal Chand, authorised representative of the workman Shri Ibrahim. The reference received from the Govt. is accordingly answered to the effect that the parties have since settled the matter on their own level and this workman would not be entitled for reinstatement/re-employment with the respondent.

Dated the 16th September, 1986.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 2285, dated the 18th September, 1986

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court, Faridabad.